

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Ralph Jacob Hutton,

Plaintiff,

v.

Case No. 1:06cv065

Wanza Jackson, *et al.*,

Judge Michael R. Barrett

Defendants.

**ORDER**

This matter is before the Court on the Magistrate Judge's Report and Recommendation filed August 22, 2007 (Doc. 110).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter de novo pursuant to 28 U.S.C. § 636, the Court finds the Magistrate Judge's Report and Recommendation to be correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. Plaintiff's Motion to Dismiss (Doc. 108) is granted. Plaintiff's Complaint is dismissed against Defendant Hugh Daley with prejudice. This action is closed.

**IT IS SO ORDERED.**